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9 UNITED STATES DISTRICT COURT

10 NORTHERN DISTRICT OF CALIFORNIA

11 SAN JOSE DIVISION

E-FILED - 6/15/06

12 UNITED STATES OF AMERICA,) No. CR 06-00208 RMW
13 Plaintiff,)
14 v.) STIPULATION AND
15 ALLEN TAM,) ORDER DOCUMENTING
16 Defendant.) EXCLUSION OF TIME
17 _____)

18 With the agreement of the defendant Allen Tam in open court on May 8, 2006, the Court
19 enters this order (1) setting a hearing on July 17, 2006 at 9:00 a.m. and (2) documenting the
20 exclusion of time under the Speedy Trial Act, 18 U.S.C. § 3161, from May 8, 2006 to July 17,
21 2006. The Court finds and holds as follows:

22 1. The defendant Allen Tam appeared before the Court on May 8, 2006. The Court
23 signed a stipulated protective order regarding discovery in this matter. Counsel for the parties
24 jointly requested a continuance until July 17, 2006 to allow counsel for the defendant time to
25 review the voluminous discovery that would be produced. The Court finds that continuing the
26 case until July 17, 2006 will give counsel an opportunity to accomplish this objective.

27 2. The Court finds that, taking into the account the public interest in the prompt
28 disposition of criminal cases, granting the continuance until July 17, 2006 is necessary for

1 effective preparation of counsel. See 18 U.S.C. § 3161(h)(8)(B)(iv). Given these circumstances,
2 the Court finds that the ends of justice served by excluding the period from May 8, 2006 to July
3 17, 2006 outweigh the best interest of the public and the defendant in a speedy trial. Id.
4 § 3161(h)(8)(A).

5 3. Accordingly, and with the consent of the defendant, the Court (1) sets a hearing
6 for July 17, 2006 at 9:00 a.m. and (2) orders that the period from May 8, 2006 to July 17, 2006 be
7 excluded from Speedy Trial Act calculations under 18 U.S.C. § 3161(h)(8)(A) & (B)(iv).

8 IT IS SO STIPULATED.

9 DATED: _____

/S/
10 KYLE F. WALDINGER
Assistant United States Attorney

11

12 DATED: _____

/S/
13 JAMES H. McMANIS
Attorney for the defendant Allen Tam

14 IT IS SO ORDERED.

15 DATED: 6/15/06 _____

/S/ RONALD M. WHYTE
16 RONALD M. WHYTE
United States District Judge

17

18 Copies to be distributed to:

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